

these students and their teachers. It tells them they don't matter. No CEO would tolerate a leaky ceiling in the board room, and no teacher should have to tolerate it in the classroom. We need to do all we can to ensure that children are learning in safe, modern buildings.

Republicans have also rejected the Administration's proposal to provide \$25 billion in interest-free bonds to help communities build and modernize 6,000 new schools to alleviate overcrowding and repair crumbling and dilapidated buildings.

The President's proposal is the right approach because it maintains Davis-Bacon protections for workers. The Davis-Bacon Act requires contractors to pay construction workers locally prevailing wages, thereby ensuring that federally assisted construction projects are not used to undermine local wages. Paying prevailing wages ensures that taxpayers have quality construction work performed by well trained, highly skilled, efficient workers. It is short-sighted and unacceptable to build new schools for children to improve their learning, and then allow construction workers to be paid sub-standard wages.

Republicans opposed to Davis-Bacon continue to repeat the myth that the Davis-Bacon Act increases the cost of school construction. Study after study shows that it does not. Recent studies of prevailing wage laws in Michigan, in Maryland and other Mid-Atlantic states, and in New Mexico and other western states, show that prevailing wage laws do not increase the cost of school construction.

Congress has given strong bipartisan support to the Davis-Bacon Act ever since it was first passed in 1931. Paying prevailing wages makes good policy sense. It enhances productivity and quality. It strengthens skills training in the construction industry. It protects the wages and benefits of local construction workers. Even Ronald Reagan promised to support Davis-Bacon.

Republican leaders should be ashamed of themselves for denying this urgently needed help for schools, communities, and families across the country.

The Republican Congress has put education last too many times, and it should be held accountable in the voting booths on November 7.

Voters should also recognize that the Republican candidate for President, Governor Bush, has a track record that is no better on education, and he should be held accountable, too.

If Governor Bush's record in Texas is any indication, average Americans—who work day after day to make ends meet—will be an after-thought in a Bush Administration.

The Republican Congress says he has the answers on education. He calls his record in Texas an "education miracle." But if you look at the record, it is more of an "education mirage" than an "education miracle."

Under Governor Bush, in 1998, according to the National Center for Education Statistics, Texas ranked 45th in the nation in high school completion rates. 71 percent of high school dropouts in Texas are minorities. Hispanic students in Texas drop out at more than twice the rate of white students in the state.

So if education is the biggest civil rights issue in America, as Governor Bush claimed in the Presidential debates, he flunked the test in Texas.

Last August, the College Board reported that nationally, from 1997 to the year 2000, SAT scores have increased—but in Texas, they have decreased. In 1997, Texas was 21 points below the SAT national average—and by 2000, the gap had widened to 26 points.

Then, last Thursday, Governor Bush heard more bad news. The RAND Corporation released an education bombshell that raises serious questions about the validity of even the gains in student achievement in Texas claimed by the Governor.

The RAND bombshell was all the more embarrassing, because in August, Governor Bush said, "Our state . . . has done the best . . . not measured by us but measured by the RAND Corporation, who take an objective look as to how states are doing when it comes to educating children."

Clearly, at that time, Governor Bush trusted the conclusions made by the RAND Corporation. He was referring to a RAND report that looked at scores in Texas from 1990 to 1996. In fact, Senator HUTCHISON cited those findings on the floor of the Senate on Thursday.

But most of the years covered by the earlier RAND report were before Bush became Governor. The new RAND report, released earlier this week, analyzes scores from 1994 to 1998, when George W. Bush was the Governor.

The achievement gap in Texas is not closing—it is widening. And what is the Governor's solution? Tests, tests, and more tests. In August, Governor Bush said, "Without comprehensive regular testing, without knowing if children are really learning, accountability is a myth, and standards are just slogans."

We all know that tests are an important indication of student achievement. But the RAND study questions the validity of the Texas state test, because Governor Bush's education program was "teaching to the test," instead of genuinely helping children to learn.

If we want a true solution, we should look at the success of states such as North Carolina, which is improving education the right way—investing in schools, improving teacher quality, and expanding after-school programs—all in order to produce better results for students. SAT scores went up in North Carolina by 10 points between 1997 and 2000.

The Bush Plan mandates tests and more tests for children—but it does nothing to ensure that schools actually improve and children actually learn.

We know that immediate help for low-performing schools is essential. We know that we can turn around failing schools, when the federal government and states and parents and local schools work together as partners to provide the needed investments.

In North Carolina, low-performing schools are given technical assistance from special state teams that provide targeted support to turn around low-performing schools. In the 1997-98 school year, 15 North Carolina schools received intensive help from these state assistance teams. In August 1998, the state reported that most of these schools achieved "exemplary" growth—and not one of the schools remained in the "low-performing" category. Last year, 11 North Carolina schools received similar help. Nine met or exceeded their targets.

That's the kind of aid to education that works—not just tests, but realistic action to bring about realistic change for students' education.

Instead of taking steps that work, Governor Bush abandons low-performing schools. He proposes a private school voucher plan that drains needed resources from troubled schools and traps low-income children in them.

In the Vietnam War, it was said that we had to destroy some villages in order to save them. That's what Governor Bush has in store for failing schools—a Vietnam War strategy that will destroy schools instead of saving them.

Parents want smaller class sizes, where teachers can maintain order and give children the one-on-one attention they need to learn.

Parents want qualified teachers for their children—a qualified teacher in all of their classes.

Parents want schools that are safe and modern learning environments for their children.

Parents and students alike want an increase in Pell Grants, to help students afford the college education they need in order to have successful careers in the new economy.

The vast majority of Americans want us to address these challenges. And AL GORE and Democrats in Congress will do just that. They will continue to fight hard and well for the education priorities that parents and local schools are demanding.

EDUCATION PRIORITIES

Mr. VOINOVICH. Mr. President, today is November 1st, one month after the beginning of the new fiscal year and less than one week before the 2000 elections. Most of us in this body had anticipated that by now, we would be home in our respective states instead of here in Washington. However, we are once again in the midst of gridlock with a President who, despite his eight years in office, still does not understand how to delineate the proper role of government at the federal, state and local level.

Our forefathers referred to this differentiation as federalism, and outlined this relationship in the 10th Amendment:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Just the other day, in response to his veto of the Treasury-Postal appropriations bill, the President made the claim that we in Congress were taking care of ourselves first before we take care of education, and that he could not "in good conscience" sign a bill that would do so.

I would say to the Chair that I am as committed to the need to provide our children with a quality education as any member of this body—Democrat or Republican—and just as committed as the President.

But what the President and my friends on the other side want to do with respect to education is all wrong and it smacks of election year politics.

The reality is that the President has his priorities all mixed up. Over the last eight years, he has missed a fundamental opportunity to reform Social Security. Over the last eight years, he has missed the opportunity to reform Medicare. Over the last eight years, he has missed the opportunity to revamp and upgrade our military.

As my colleagues know, both Governor Bush and Vice President GORE have made education among their top priorities in their campaigns. As such, I believe in a few short months from now, Congress and the new President will work together to craft an ESEA reauthorization bill, which I am confident will pass quickly and be signed into law.

However, instead of waiting a few months to allow his successor the opportunity to reauthorize the Elementary and Secondary Education Act, ESEA, this President seems consumed with constructing education policy through the appropriations process.

In this appropriation cycle, the President has demanded more than \$4 billion in new education spending primarily for additional teachers, after school programs and school facilities, plus billions of additional dollars for school construction bonds.

Let me state emphatically to my colleagues: these activities are not federal responsibilities.

What is a federal responsibility is giving state and local leaders the flexibility to spend funds the way that makes the most sense for their particular school districts.

On this side of the aisle, we are saying, "we trust our teachers, and principals and school superintendents to make decisions on education spending." We are saying we will give you education funds and if you want to spend them on hiring teachers or building schools you can, but if your needs are new technology or books or training or special education, you ought to be able to spend the money on those programs. This is the right approach.

Throughout American history, the federal government's role in educating America's youth has traditionally been relatively minor. The U.S. Constitution and the Federalist Papers affirm that the primary responsibility for education lies with those closest to our students in our states and localities.

It is parents, teachers, local school districts and states who have done the lion's share with respect to educating our children, not Washington. And the numbers back up this fact.

Right now in America, the Federal Government only provides 7 percent of the funds for education.

Let me repeat that because that fact is hardly ever discussed: the Federal Government only provides 7 percent of the funds for education in this nation.

That means 93 percent of each dollar that is spent on education comes from state taxes or local taxes or some other non-federal source.

Yet, this Administration would have the American people believe that all good things spring from Washington and that "top down" command-and-control policies from the White House work best.

To them, the local school districts in America—the parents and teachers and administrators across this nation—have no earthly idea how to educate their own children, nor do they know what their needs are.

Believe it or not, most states are already investing in teachers and in school construction and in technology and after school programs.

Most States have the money to pay for education—for teachers, for classroom materials, and for school construction.

The National Governors Association reports that 46 states have a budget surplus and at least 36 states have a comfortable surplus. As a result, many states have been able to increase spending on education while cutting taxes.

Does it make sense, then, for the White House to dangle a \$4 billion carrot in front of America's school districts when so many states are reporting budget surpluses and are cutting taxes?

The federal government has billions of dollars of unmet needs.

We have a national debt of \$5.7 trillion—a debt that is costing us \$224 billion in interest payments a year, and \$600 million per day just to pay the interest.

Out of every federal dollar that is spent, 13 cents will go to pay the interest on the national debt. In comparison, 16 cents will go for national defense; 18 cents will go for non-defense discretionary spending; and 53 cents will go for entitlement spending. Right now, we spend more federal tax dollars on debt interest than we do on the entire Medicare program.

Yet the President is willing to spend billions of dollars on what are state and local government responsibilities instead of targeting those funds on what are true federal needs.

Clearly, states are the ones with the resources for school construction, and they are, in fact, using them for that purpose.

When I was Governor, I felt so strongly about the importance of building new schools that I started the Ohio School Facilities Commission. Because of what we were able to do in Ohio, the General Accounting Office reported earlier this year that Ohio's increase in school construction spending from 1990-1997 was the ninth greatest in the nation in percentage terms, and the eighth greatest in terms of dollar amount.

In addition, thanks to the settlement our states have negotiated with the tobacco industry—something I fought hard to achieve—Ohio has more than \$10 billion in additional revenues.

Governor Taft has pledged to fully address the facility needs of every Ohio school district within the next 12 years. His proposal for allocating \$23 billion in state and local resources included a plan to fund the building needs of Ohio's 49 vocational school districts, accelerate the pace of work for our largest urban school districts, and in short give all districts an opportunity to address their immediate facility needs.

And in New Jersey, Governor Christine Todd Whitman announced recently that her state has begun spending money on a plan to build \$12 billion worth of classrooms over the next 10 years.

States have invested in teachers as well. In Ohio, we realized that young teachers needed mentors to show the way. So we started a program that pays teachers \$1,500 to serve as mentors to younger teachers.

And because professional development is important, I initiated Ohio's participation in the National Board of Professional Teaching Standards.

I felt it was so important for us to prepare our teachers that we began encouraging teachers in Ohio to participate by paying their application fees and the cost to take the test. Teachers who passed the National Board of Professional Teaching Standards certification process were rewarded with a bonus of \$2,500 for 10 years.

As a result of these commitments, Ohio has ranked fourth in the nation in professional development by the National Commission on Teaching and America's Future. And Congress continues to recognize the value of this organization.

In short, like most states, Ohio is getting it done for education. But what really upsets me is the fact that the President is calling on Ohio taxpayers to send money to Washington so that the federal government can turn around and send it to states that are not meeting their responsibilities—responsibilities that are totally and absolutely state or local obligations.

Right now, the President is pushing to spend \$1.75 billion on a school class size reduction program, but, with

120,000 teachers already in Ohio, this program at best yields only 1.5% increase in the number of teachers in my state.

In fact, even if the President gets all the money he wants, 47% of Ohio's public school districts and community schools will not even receive enough money from the President's program to hire a single teacher. Not a single one.

The Clinton class size reduction proposal undermines local control and the ability of school districts to spend money where it is needed most. But it goes to the point that the Clinton-Gore administration wants to be all things to all people.

I say to my colleagues, if we really want to do something for education, then we should live up to the federal commitment to IDEA.

In 1975, Congress passed the Individuals with Disabilities Education Act (IDEA), a program designed to help mainstream young men and women with disabilities so they could obtain a quality education. Congress thought it was such a national priority, that it promised that the Federal Government would pay up to 40 percent of the cost of this program.

However, through fiscal year 2000, the most that Washington provided to our school districts under IDEA is 12.6 percent of the educational costs for each handicapped child. The remainder of the cost for IDEA falls on State and local governments.

Earlier this year, the Senate passed two amendments that I offered regarding IDEA. The first said that Washington should live up to its commitment to fund IDEA at the 40% level before it allocates new education money.

The second would allow school districts to use federal money for IDEA. Or, if the district wanted to spend the money on new teachers or new facilities, they could do so.

If the Federal Government was fully funding IDEA, most of the education initiatives the President and my colleagues are proposing—school construction, after-school programs, and new teachers—could be and likely would be taken care of at the State and local level.

The Federal Government does have important responsibilities like national defense, infrastructure, Medicare and Social Security and we must also look at real federal priorities such as prescription drugs and responding to the cries of our health care system that has been short changed by the 1997 Balanced Budget Act. However, Washington must figure out how to sustain paying for its responsibilities before making new commitments.

Because of the President's spending programs, the Labor HHS appropriations bill is, at last count, already at \$113 billion. Last year, we spent \$96 billion for the same bill. That's nearly an 18 percent increase.

This appropriations bill contains more than \$43 billion for the Department of Education. In the President's

own budget, he asked for only \$40 billion. Still, that is almost double the \$21.1 billion in discretionary education spending allocated by the Federal Government just 10 years ago in fiscal year 1991, and nearly 5 times the \$8.2 billion spent on discretionary education spending 25 years ago in 1976.

The President and my colleagues across the aisle must stop acting as if they are the Nation's school board, trying to fund every education program possible.

I believe our State and local leaders should be given the flexibility they need to spend their Federal education dollars to live up to our obligations with respect to IDEA, freeing them to address state and local education needs that have not yet been met.

It is my hope that in the waning days of this Congress, we will find the strength to recognize what is a federal responsibility and what is not and act accordingly. We can no longer count on the President to do so: it is up to us.

OBJECTION TO PROCEEDING TO H.R. 4020

Mr. WYDEN. Mr. President, I rise today to state my objection to any unanimous consent request for the Senate to proceed to or adopt H.R. 4020, authorizing the expansion of the boundaries of Sequoia National Park to include Dillonwood Giant Sequoia Grove, unless or until S. 2691, to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, is discharged, unamended, from the House of Representatives Resources Committee and passed, unamended, by the House of Representatives. I do so consistent with the commitment I have made to explain publicly any so-called "holds" that I may place on legislation.

S. 2691 is a bipartisan bill, authored by myself and Senator SMITH of Oregon, and supported by all the members of Oregon's congressional delegation. It passed the Senate Energy and Natural Resources Committee, as well as the entire Senate, unanimously. This legislation protects the current and future drinking water source for the city of Portland, home to one in four Oregonians.

Despite its broad support, and my personal appeal to the Resources Committee, that committee has failed to act on it. Oregonians expect their elected representatives will act responsibly to protect Portland's drinking water source. As a result, I cannot agree to H.R. 4020 until S. 2691 clears the House of Representatives unamended.

THE BANKRUPTCY REFORM BILL

Mr. KERRY. Mr. President, I strongly believe that reform of our bankruptcy laws is necessary. During the 105th and 106th Congress, I have supported legislation to reform bank-

ruptcy laws and end the abuse of the system. However, I am very disappointed that I am unable to support the conference report of the Bankruptcy Reform Bill because I believe it is unfair and unbalanced, was completed without appropriate consideration by the Minority party, includes an inequitable homestead provision and is unfair to many working families.

I am very concerned that the decision to file for bankruptcy is too often used as an economic tool to avoid responsibility for unsound business decisions and reckless acts by both individuals and businesses. There has been a decline in the stigma of filing for bankruptcy and appropriate changes are necessary to ensure that bankruptcy is no longer considered a lifestyle choice.

This legislation includes a number of important reforms which I support. I am pleased that the small business provisions originally included in the Senate bill have been changed to give small businesses adequate time to develop a reorganization plan during bankruptcy proceedings. I had previously included an amendment to the Senate bill that increased this time for small businesses. I am also pleased that the conference report includes my amendment to expand the credit committee membership under Chapter 11 bankruptcies to include small businesses. I believe this will ensure better access and information for small businesses creditors. Unfortunately, reasonable and necessary reforms were included in a bill that on the whole fails to take a balanced approach to bankruptcy reform. I had hoped that through a legitimate legislative process we would arrive at a compromise that would have ended the abuses but still provided our most vulnerable citizens with adequate protections. Instead, I believe that the conference report protects wealthy debtors by allowing them to use overly broad homestead exemptions to shield assets from their creditors. The Senate passed, by a bipartisan vote of 76-22, an amendment to create a \$100,000 nationwide cap on any homestead exemption. However, this provision was not included in the Conference Report. Instead, the conferees included a meaningless cap with a two-year residency requirement that wealthy debtors could easily avoid. Moreover, the bill's safe harbor is illusory and will not benefit individuals in most need of help. Because the safe harbor is based on the combined income of the debtor and the debtor's spouse, many single mothers who are separated from their husbands and who are not receiving child support will not be able to take advantage of the safe harbor provision.

I am also very disappointed that the conference report does not include an amendment offered by Senator COLLINS and myself, which was included in the Senate bill, that would make Chapter 12 of the Bankruptcy Code, which now applies to family farmers, applicable